REMARKS

Claims 1, 15 and 25 have been amended. Claims 1-34 remain pending in the application

Section 103(a) Rejections:

The Final Action rejected claims 1-9, 11-29 and 31-34 under 35 U.S.C. § 103(a) as unpatentable over Swanberg et al. (U.S. Patent 5,778,443) (hereinafter "Swanberg") in view of Bean et al. (U.S. Patent 4,843,541) (hereinafter "Bean"), claims 10 and 30 in further view of Sukegawa (U.S. Patent 5,860,083). Claims 12 and 32 were rejected as being unpatentable over Swanberg and Bean and further in view of Fresko et al. (U.S. Patent 5,966,702 (hereinafter "Fresko").

The Examiner admits that Swanberg does not teach managing virtual memory in a virtual machine. The Examiner relies on Bean to teach virtual memory in a virtual machine. However, as noted by the Examiner on p. 3 of the Office Action, the virtual machines in Bean refer to logical partitions of system resources that allow multiple different applications or operating systems to operate concurrently within a computer system. This is a completely different type of virtual machine from what is recited in Applicants' claims. The virtual machine as recited in Applicants' claims provides a platform-independent operating environment on a particular computer platform. It is well understood in the art that this type of virtual machine is completely different from the logical user partitions described in Bean. Note that the programs in Bean must be compiled for the architecture of the underlying hardware (Bean -- col. 1, lines 44-48). Since the logical partition virtual machines of Bean refer to a completely different type of virtual machine than in Applicants' claimed invention, the combination of Swanberg and Bean clearly does not teach or suggest Applicants' claimed invention.

Furthermore, even if a virtual machine such as a Java Virtual Machine was run on the computer system of Swanberg, it would not suggest Applicants' claimed invention.

A virtual machine such as a Java Virtual Machine is itself a process that runs on top of an underlying computer platform. The underlying platform may provide virtual memory management, such as in Swanberg. However, in the prior art, this type of virtual machine itself does not include a virtual memory manger, store heap and in-memory heap for processes running on the virtual machine. In the prior art, this type of virtual machine is designed to run on top of another platform that provides lower level functionality like virtual memory management.

CONCLUSION

Applicants submit the application is in condition for allowance, and notice to that effect is respectfully requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5181-49700/RCK.

Also enclosed herewith are the following items:

☒ Return Receipt Postcard

☐ Petition for Extension of Time

☐ Notice of Change of Address

☐ Fee Authorization Form authorizing a deposit account debit in the amount of $ for fees ( ).

☐ Other:

Respectfully submitted,

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